

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature – Second Regular Session

MINUTES RECEIVED
CHIEF CLERK'S OFFICE

2-19-16

COMMITTEE ON AGRICULTURE, WATER AND LANDS

Report of Regular Meeting
Thursday, February 18, 2016
House Hearing Room 3 -- 10:00 a.m.

Convened 10:03 a.m.

Recessed

Reconvened

Adjourned 11:02 a.m.

Members Present

Mrs. Benally
Mrs. Cobb
Ms. Fann
Mrs. Gabaldón
Mr. Montenegro
Ms. Otondo
Mr. Pratt
Mr. Shope
Mr. Mitchell, Vice-Chairman
Mrs. Barton, Chairman

Members Absent

Agenda

Original Agenda – Attachment 1

Request to Speak

Report – Attachment 2

Presentations

Name

Organization

Attachments (Handouts)

None

Committee Action

Bill

Action

Vote

**Attachments (Summaries,
Amendments, Roll Call,
Attendance)**

HB2622	DP	7-1-0-2	3, 4
HB2405	DP	10-0-0-0	5, 6, 7
HB2648	DPA S/E	10-0-0-0	8, 9, 10
	Committee Attendance		11

April Riggins

April Riggins, Chairman Assistant
February 19, 2016

(Original attachments on file in the Office of the Chief Clerk; video archives available at <http://www.azleg.gov>)

convened: 10:03 a.m.
adjourned: 11:02 a.m.

REVISED - 02/16/16

REVISED - 02/16/16

REVISED - 02/16/16

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-second Legislature - Second Regular Session

REGULAR MEETING AGENDA

COMMITTEE ON AGRICULTURE, WATER AND LANDS

DATE Thursday, February 18, 2016

ROOM HHR 3

TIME 10:00 A.M. NOTE TIME
CHANGE

9:00 A.M.

Members:

Mrs. Benally
Mrs. Cobb
Ms. Fann
Mrs. Gabaldón

Mr. Montenegro
Ms. Otondo
Mr. Pratt

Mr. Shope
Mr. Mitchell, Vice-Chairman
Mrs. Barton, Chairman

Bills

Short Title

Strike Everything Title

HB2622 DP water; improvement districts; tax limit
(Barton)

7-1-0-2 AWL, RULES

ADDENDUM #1 - 02/16/16

HB2405 DP medical marijuana; cultivation; facilities
(Leach, Thorpe: Finchem, et al)

10-0-0-0 AWL, RULES

HB2648 PPA-SE pest control advisor; task force
(Montenegro)

S/E: rural business development advisory
council

10-0-0-0 AWL, RULES

ORDER OF BILLS TO BE SET BY THE CHAIRMAN

adr
2/11/16
2/16/16

People with disabilities may request reasonable accommodations such as interpreters, alternative formats, or assistance with physical accessibility. If you require accommodations, please contact the Chief Clerk's Office at (602) 926-3032, TDD (602) 926-3241.

Information Registered on the Request to Speak System

House Agriculture, Water and Lands (2/18/2016)

HB2622, water; improvement districts; tax limit

Support:

Don Ascoli, representing self

All Comments:

Don Ascoli, Self: Would like to address the committee to speak in favor of this bill.

HB2405, medical marijuana; cultivation; facilities

Testified as neutral:

Leonard Clark Clark, representing self

Support:

Austin Hoopes, PINAL COUNTY ATTORNEY'S OFFICE; kathleen mayer, Pima County Attorney's Office



HOUSE OF REPRESENTATIVES

HB 2622

water; improvement districts; tax limit
Prime Sponsor: Representative Barton, LD 6

X Committee on Agriculture, Water and Lands

Caucus and COW

House Engrossed

OVERVIEW

HB 2622 allows the governing body of a domestic water or wastewater improvement district (DWID) that levies taxes based on square footage of property to adopt a resolution to limit the taxes collected from any single parcel of real property.

PROVISIONS

1. Allows the governing body of a DWID that assesses and levies taxes based on the square footage of property to establish a limit on the amount of tax that may be assessed and collected from any single parcel of real property in the district.
2. Makes technical and conforming changes.

CURRENT LAW

A.R.S. § 48-955 allows property owners in new or existing DWIDs to petition the governing board to assess and levy property taxes based on the square footage of the property. However, current statute does not provide the authority for a governing body of a DWID to establish limits on taxes collected from any single parcel of property.

ADDITIONAL INFORMATION

DWIDs are special county improvement districts that are governed by an elected board of directors or the county board of supervisors. DWIDs have specific geographic boundaries and the authority to acquire, construct and operate a domestic water system, finance acquisition and construction with special assessment bonds or revenue bonds, charge and collect water rates and user fees and levy ad valorem taxes for operation and maintenance.

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

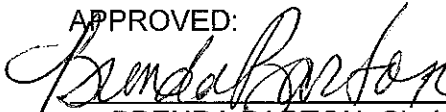
ROLL CALL VOTE

COMMITTEE ON AGRICULTURE, WATER AND LANDS BILL NO. HB 2622

DATE February 18, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mrs. Benally		✓			
Mrs. Cobb		✓			
Ms. Fann	✓		✓		
Mrs. Gabaldón		✓			
Mr. Montenegro					✓
Ms. Otondo		✓			
Mr. Pratt		✓			
Mr. Shope					✓
Mr. Mitchell, Vice-Chairman		✓			
Mrs. Barton, Chairman		✓			
		7	1	0	2

APPROVED:


BRENDA BARTON, Chairman
DARIN MITCHELL, Vice-Chairman


COMMITTEE SECRETARY

ATTACHMENT 4



HOUSE OF REPRESENTATIVES

HB 2405

medical marijuana; cultivation; facilities

Prime Sponsor: Representative Leach, LD 11

X Committee on Agriculture, Water and Lands

Caucus and COW

House Engrossed

OVERVIEW

HB 2405 amends the definition of *enclosed, locked facility*, which will require all facilities where medical marijuana is cultivated to have roofing that has a hardened covering.

PROVISIONS

1. Amends the definition of *enclosed, locked facility*, which will require all facilities where medical marijuana is cultivated to have roofing that has a hardened covering.
2. Makes technical changes.
3. Contains a Proposition 105 clause.

CURRENT LAW

The Arizona Medical Marijuana Act, A.R.S. § 36-2801 et seq., requires all medical marijuana that is cultivated by authorized dispensaries to be grown in enclosed, locked facilities at a physical address provided to the Department of Health Services.

Current law defines *enclosed, locked facility* as a closet, room, greenhouse or other enclosed area equipped with locks or other security devices that permit access only by a cardholder (A.R.S. § 36-2801).

Arizona Administrative Code R9-17-101 defines *enclosed area*, when used in conjunction with *enclosed, locked facility*, as an outdoor space surrounded by 10-foot walls, constructed of metal, concrete or stone that prevent any viewing of the marijuana plants, and a 1-inch thick metal gate.

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON AGRICULTURE, WATER AND LANDS BILL NO. HB 2405

DATE February 18, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mrs. Benally		✓			
Mrs. Cobb		✓			
Ms. Fann		✓			
Mrs. Gabaldón		✓			
Mr. Montenegro		✓			
Ms. Otondo		✓			
Mr. Pratt		✓			
Mr. Shope		✓			
Mr. Mitchell, Vice-Chairman		✓			
Mrs. Barton, Chairman		✓			
		10	0	0	0

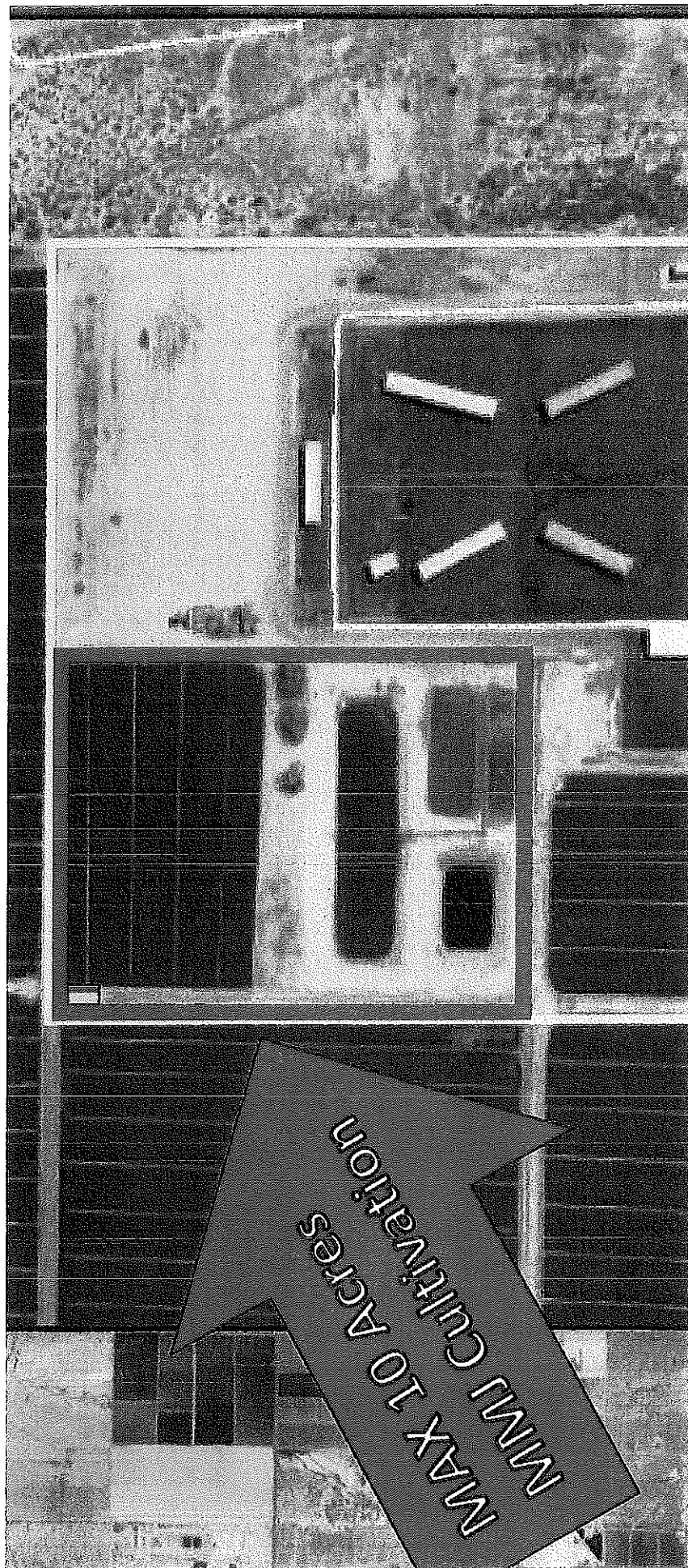
APPROVED:

Brenda Barton
BRENDA BARTON, Chairman
DARIN MITCHELL, Vice-Chairman

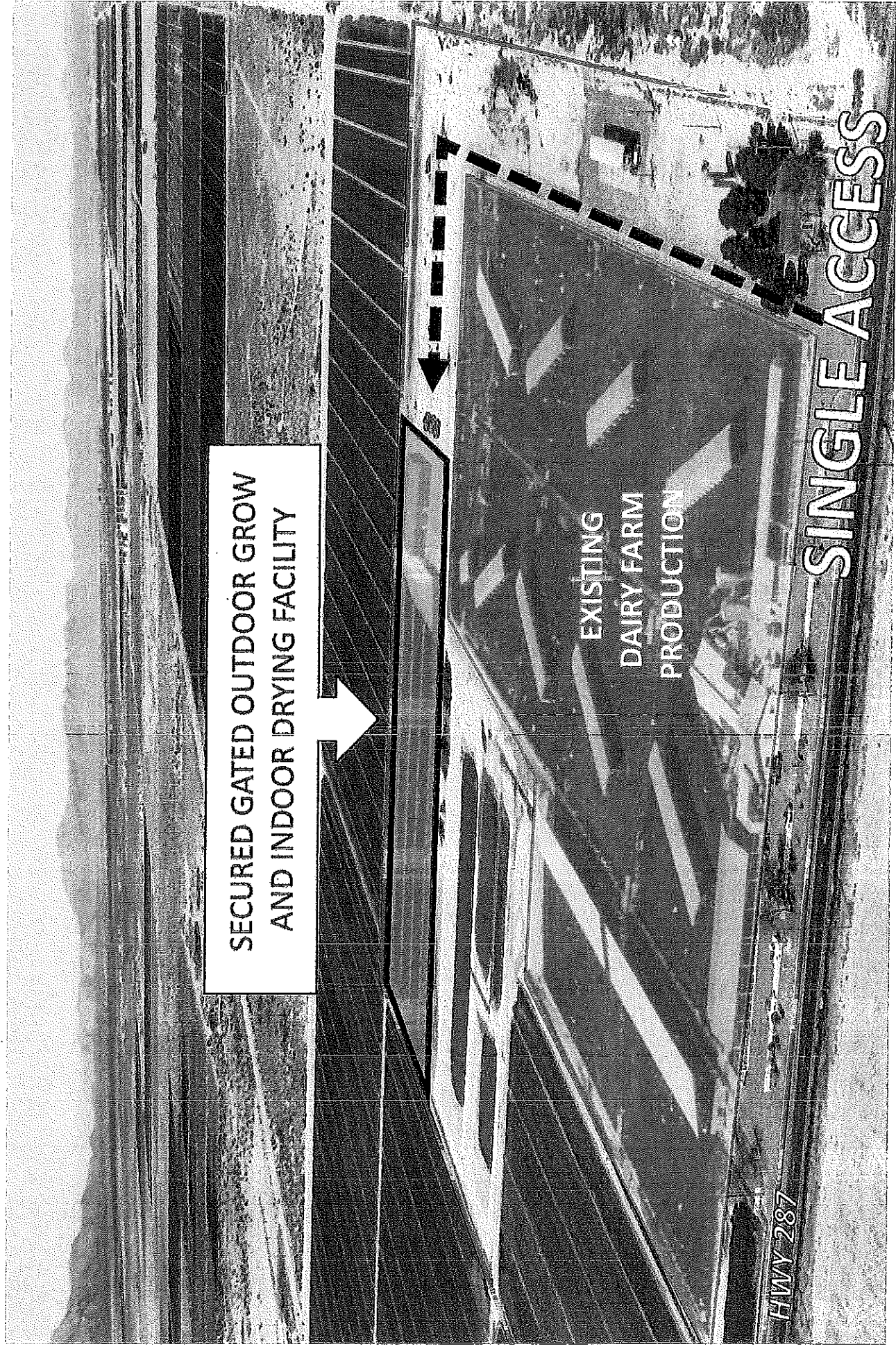
April Riggins
COMMITTEE SECRETARY

ATTACHMENT 6

Pinal Co Approved Marijuana Growing Site



Pinal Co Approved Marijuana Growing Site



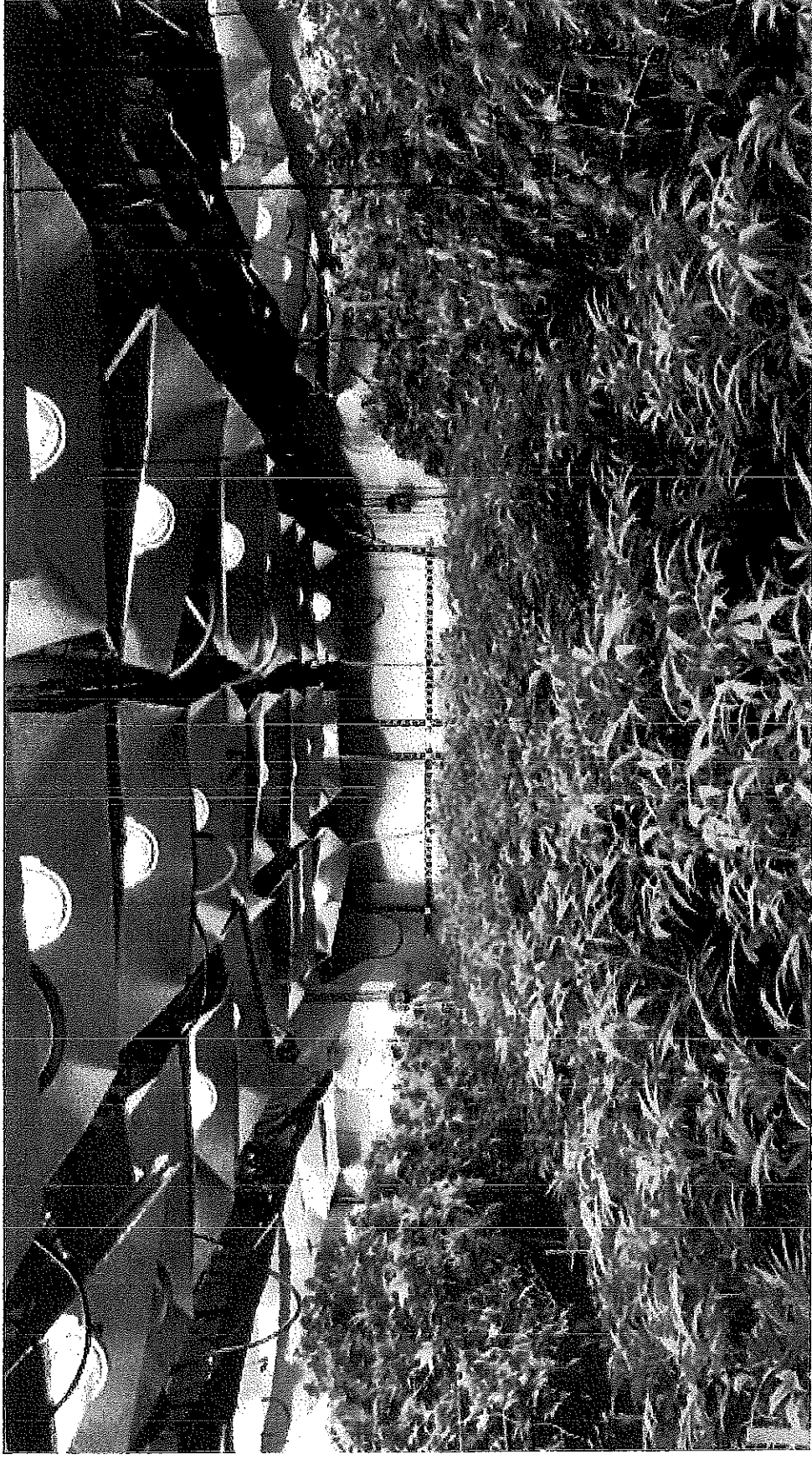
SECURED GATED OUTDOOR GROW
AND INDOOR DRYING FACILITY

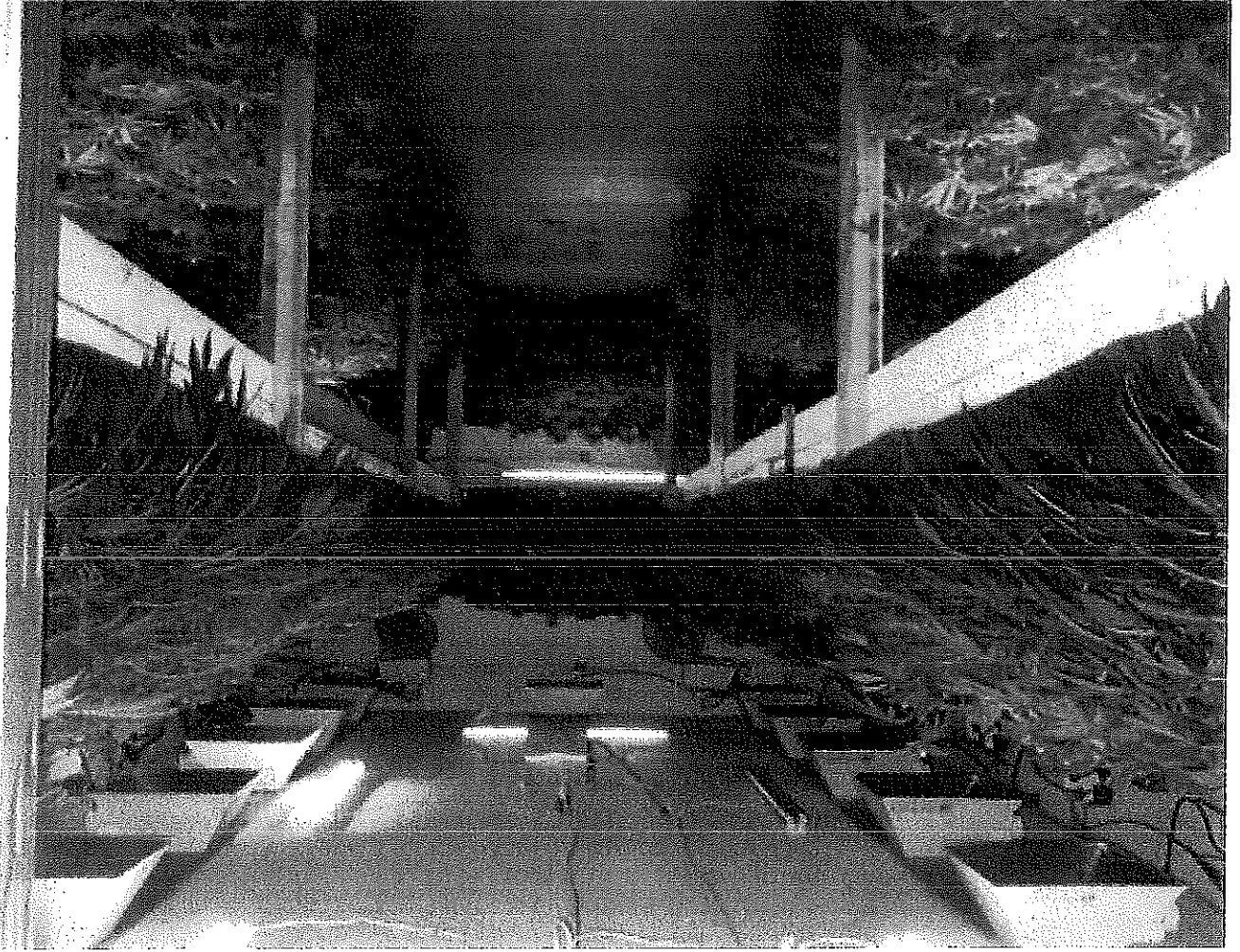
EXISTING
DAIRY FARM
PRODUCTION

HWY 287

SINGLE ACCESS

Typical Indoor Marijuana Growing Facility





Typical Indoor Marijuana Growing Facility



HOUSE OF REPRESENTATIVES

HB 2648

pest control advisor; task force

Prime Sponsor: Representative Montenegro, LD 13

X Committee on Agriculture, Water and Lands

Caucus and COW

House Engrossed

Summary of the Proposed Strike-Everything Amendment to HB 2648

The proposed strike-everything amendment to HB 2648 adds a required duty of the Rural Business Development Advisory Council.

PROVISIONS

1. Requires the Rural Business Development Advisory Council to recommend ways to enhance interstate competitiveness of rural businesses without incurring taxpayer expense.
2. Makes technical changes.

CURRENT LAW

A.R.S. § 41-1505 establishes the Rural Business Development Advisory Council with the mission of advising the Board of Directors of the Arizona Commerce Authority on rural business development strategies including job creation, diversifying economies and attracting new investment.

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2648

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 41-1505, Arizona Revised Statutes, is amended to
3 read:

4 41-1505. Rural business development advisory council; council
5 termination

6 A. The rural business development advisory council is established.
7 The mission of the council is to advise the board of directors regarding
8 rural business development strategies, including creating jobs, diversifying
9 economies and attracting new investment.

10 B. The council consists of the following members:

11 1. One representative from each county, seven of whom are appointed by
12 the governor and four each of whom are appointed by the president of the
13 senate and the speaker of the house of representatives.

14 2. One representative of a rural development organization that
15 represents statewide interests who is appointed by the governor.

16 3. One member representing all Indian tribes, nations, bands and
17 communities in this state who is appointed by the governor.

18 4. The chief executive officer or the chief executive officer's
19 designee.

20 C. Each year the governor shall appoint a member to serve as
21 chairperson. The chairperson may be reappointed. Council members shall
22 serve staggered three-year terms beginning and ending on the third Monday in
23 January. The members of the council serve without compensation and are
24 subject to title 38, chapter 3, article 8, relating to conflicts of interest.

25 D. The council shall:

26 1. Recommend to the board of directors policy development and funding
27 allocations to complement regional and local economic development strategies
28 that focus on and assist rural communities.

Attachment 9

Adopted ☒ # of Verbals _____
Failed _____ Withdrawn _____
Not Offered _____ Analysts Initials _____

1 2. Leverage local, state and federal resources to advance business in
2 rural areas of this state.

3 3. Develop selection criteria and an application format for rural
4 communities or areas to use in applying for matching monies.

5 4. Make recommendations for coordinating personnel activities of the
6 authority to ensure that communities receive appropriate technical assistance
7 to implement economic development efforts.

8 5. Assist local rural economic development professionals, main street
9 project managers and others involved in economic development.

10 6. Make recommendations regarding:

11 (a) State responsibilities under any necessary contracts with
12 consultants, including the national main street center of the national trust
13 for historic preservation.

14 (b) Coordination of the activities of other state agency personnel
15 assisting with rural economic development programs.

16 7. Monitor the progress of main street communities and other aspects
17 of the program.

18 8. Coordinate the expenditure of available federal monies to support
19 rural business and economic development programs.

20 9. RECOMMEND WAYS TO ENHANCE THE INTERSTATE COMPETITIVENESS OF RURAL
21 BUSINESSES IN THIS STATE WITHOUT INCURRING TAXPAYER EXPENSE.

22 E. Each year the council shall develop a priority list of economic
23 strength projects that meet the criteria established by section 28-7281 and
24 submit the list to the chief executive officer. The council shall confer
25 with regional planning agencies and local authorities that would be affected
26 by a specific economic strength project and shall submit their comments to
27 the chief executive officer. After review by the board, the chief executive
28 officer shall transmit the priority list and comments to the state
29 transportation board. The council shall set priorities for individual
30 projects based on the following:

31 1. The cost of the project.

32 2. The number of jobs that the project will cause to be created,
33 retained or increased.

34 3. The nature and amount of capital investment or other contribution
35 to the economy of this state or a local authority as a result of the project.

36 4. The likelihood that benefits resulting from the project will exceed
37 the costs of the project.

House Amendments to H.B. 2648

1 5. Whether the amount of contributions to the project provided from
2 other than the economic strength project fund is at least ten per-cent
3 PERCENT of the cost of the project.

4 6. The amount and percentage of funding for the project that will come
5 from a source other than the economic strength project fund as compared to
6 other proposed projects.

7 7. The amount of expenditures required for local infrastructure
8 relating to the project.

9 8. The magnitude of the project and its relative value to this state
10 or a local authority as compared to other proposed projects.

11 9. The extent to which the project would contribute to achieving an
12 equitable distribution of monies and projects among the various regions of
13 this state and throughout this state as a whole.

14 10. The specific time schedule for completion of the project.

15 F. The council established by this section ends on July 1, 2021
16 pursuant to section 41-3103."

17 Amend title to conform

STEVE MONTENEGRO

2648 sm
02/16/2016
11:26 AM
C: LD

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON AGRICULTURE, WATER AND LANDS BILL NO. HB 2648

DATE February 18, 2016

MOTION: DPA-S/E

	PASS	AYE	NAY	PRESENT	ABSENT
Mrs. Benally	✓	✓			
Mrs. Cobb		✓			
Ms. Fann		✓			
Mrs. Gabaldón		✓			
Mr. Montenegro		✓			
Ms. Otondo		✓			
Mr. Pratt		✓			
Mr. Shope		✓			
Mr. Mitchell, Vice-Chairman		✓			
Mrs. Barton, Chairman		✓			
		10	0	0	0

APPROVED:


BRENDA BARTON, Chairman
DARIN MITCHELL, Vice-Chairman



COMMITTEE SECRETARY

ATTACHMENT 10

ARIZONA STATE LEGISLATURE
Fifty-second Legislature - Second Regular Session

COMMITTEE ATTENDANCE RECORD

COMMITTEE ON AGRICULTURE, WATER AND LANDS

CHAIRMAN: Brenda Barton VICE-CHAIRMAN: Darin Mitchell

DATE	2/18 /16	/16	/16	/16	/16
CONVENED	10 ⁰³ a.m.	m	m	m	m
RECESSED					
RECONVENED					
ADJOURNED	11 ⁰² a.m.				
MEMBERS					
Mrs. Benally	✓				
Mrs. Cobb	✓				
Ms. Fann	✓				
Mrs. Gabaldón	✓				
Mr. Montenegro	✓				
Ms. Otondo	✓				
Mr. Pratt	✓				
Mr. Shope	✓				
Mr. Mitchell, Vice-Chairman	✓				
Mrs. Barton, Chairman	✓				

√ Present -- Absent exc Excused